2/20/72

Mr. Fred Graham
The New York Times
1920 L St., NW
Washington, D.C. 20036

Dear Fred,

Lingering trouble with the thumb makes inadvisable use of that hand for extracting files from over-jammed cabinets, so I'll reply to your ~~2/17~~ 2/17 from memory. I did understand you to say your call was to tell me that you would respond to the questions I wrote, and I took those things you did go into to be illustrative of the candor you intended. Those responses were helpful and I have an adequate record of them. However, as I think you realize, you did not address some that I think among the more important. Here I mean not only for my own writing, but I take the liberty of suggesting for your thinking and in your interest. In particular those questions I asked about your satisfaction, at the time and in retrospect, about your own professional performance: did you treat this as all other stories, did you do as you would have with an ordinary story, things like that. My own view I have made clear to you in our conversations, I believe in advance of Lattimer's seeing anything. This is the kind of thing I feel I must address, and I would prefer not to address it without comment from you. Unless you make comment, I'll have to be limited to my own news experiences of the past and my observations of present practises.

Your second graph is a repetition of what you told me. I not only do not doubt it, but it makes perfectly good sense. That is no new development in newspapering. In the 50s my own editors kept ticklers, and I maintained my own. If I did not ask if you inquired into the basis for selecting Lattimer, as I think I did, if you did ask and are under no constraints, I'd like to know the answer. Frankly, it mystifies me, as does the decision to let anyone see this stuff now, at a time of least interest and no public demand at all. Even after the minor sensation you started, I know of no single second-day story -anywhere. Some major papers did all but ignore it. I know of one that followed your piece with a call to Rhoads and between the two carries less than two sticks. So, with no popular or Kennedy interest to serve, I also find myself wondering if the original idea was Marshall's. There is no reason to presume and I do not presume a pre-existing relationship between him and Lattimer, and my own hunch is that politically they are wide apart. As I think of this I regard it as more likely that someone he felt he could trust gave Marshall the idea, and if this is correct, the field is pretty limited. Marshall is so uninformed and so hungup I doubt he really knows what he is into, and the last thing he'll do is talk to somebody who does or can know and holds a view contrary to the official line. I doubt his self-respect if, indeed, his reputation, survives what he has and has not done. In what for me is a considerable cost in time, and sometimes in exasperation, I have tried to inform him, but he just refuses to think, depending, I would suppose, on those in his past in whom he then had confidence. There are none so blind as those who <u>will</u> not see. Anyway, this is an area in which, if you have non-confidential knowledge, I would welcome it.

If you cannot or will not take the time to answer the unanswered questions in writing, I have this suggestion: I have a consultation with an orthopaedic surgeon within walking distance of your office at 9:30 a.m. The consultation itself should not take long. I cannot forecast whether new X-rays will be indicated, or therapy, or measuring for a brace (I never knew they came for thumbs), but any one of these things could detain me. If you are then free, I'll bring my tape recorder and we can go over the remaining questions. If one at the factory for repairs is back by then, I'll bring both if you would like one for yourself. If you would and I have only the one machine, I'll make a dub for you. This is to satisfy you, if you have any question, about fidelity of quotation, direct or indirect. Should you like, I am quite willing to further, as you have in part known all along. I'd welcome a visit from you here. It is an hour from your office, less from northwest or suburban Maryland. There may be some things you'd like to know. Depending on what, some would have to be in confidence.

Should you elect this, there may be some other side-benefits in it for you, if you have a family. I know only the once reference you made in 1966, that my WHITEWASH came between youxand your wife in bed, when you both wanted to read it (acomplement not reflected in your subsequent brief comment on it). If you have kids, they might enjoy the countryside. If it is cold enough, we have a pond on which the neighborhood kids ice-skate.

I take another liberty and suggest you might want to think further of your sentence: "There may be some tricky business afoot herem but I'm not knowingly part of it, so I don't mind telling anything." If I thought you were consciously part of any such thing, do you suppose I'd have made some of the offers I have made to you? But there is no doubt in my mind that both things are true, that there is "some tricky business afoot" and that you are part of it. I have more than once indicated to you that in my opinion you were used. You enjoy no monopoly, and I can show you how this happened from almost the first day with the JFK assassination and is happening even today with that xm of thing. (If I forget to come back to this, remind me, for I can establish it with ease, and it may, in time, interest you.) If I am less than happy with some of your reporting, knowing the Times policy and the problems of reporting so many things that one can't become expert in any, this does not lead to the deduction that your are dishonest or anything like that. I also know the degree to which a man covering a beat comes to depend upon and to trust some of his sources. The one trouble I have here is indicated above, which led to my questions about the professionalism of your handling of the story, for here is where I think you hurt yourself and were responsible for the wholesaling of fiction as reality, and I know others working in the field hold a harsher view than I. It will take time for you to reach your own independent judgement.

The tricky-business part also leads to apprehensions about the normality you plan, "If Burke drags his feet much longer there will be a story in that." It is only natural that you carry this further, for that is a reporter's obligation. My concern is with some of the consequences, and the probability that there are those who well know that it is predictable that you will soon be asking questions, as others, surprisingly, have not. I consider it not unlikely that there may be some who want this, some in official positions. I do not think Marshall does. And, I can also think of a ready answer he can give you:"I have let one expert see it. He has reported what he saw, and his reporting got wide attention. Anything else would be no more than the sensational and undignified use the contract was designed to prevent." Would you regard this unreasonable without prodding from me? Or, would your editors? Without my knowledge, I would not. And I think Marshall has no reason to. My apprehensions lie elsewhere. My concern is with the further prostitution of truth, in the very broadest sense. You might want to consider if the future records that you were one of the instruments used for such purposes, as you have been several times, I do not by the remotest indirection suggest with your knowledge or desire, you will then be content.

As you know, I can't deal with this wothout dealing with you. As you have no way of knowing, I have to do it twice. Your explanations about the one you do not know more than satisfy me and justify an account I think you will not resent. So you can understand how open my intentions are, I will be happy to show you both treatments in rough draft and if you have any objections of suggestions, will be glad to consider them. My quest is not for goats. I seek truth and the making of as complete and accurate a record as I can on what I have come to regard as one of the major turning points in history as well as a unique study in the functioning of government. Thus forx example, answers to questions I might not find necessary to use in this epilogue to a completed book may have a future value as part of an archive. I have hundreds and hundreds of hours of taped interviews I think will serve future inerests that I may never use in any writing or have or will use only in part. One of the great satisfactions to me has been the willingness of so many generally regarded by "critics" as "the other side" to trust me and in many cases to provide real help. This includes public officials, Clay Shaw's friends and lawyers, who regard my treatment of him as eminently fair and privately say directly opposite what they alleged in court (you may recall they never subpenaed me as a witness in that proceeding), even the most extreme of the very far right. Aside from assuring.

Thus there is an added reason for desiring answers to those questions I have asked you and others that may occur to you. The form is immaterial to me.

Lattimer's answer to questions I asked him may interest you: he will send me a reprint of whatever he writes.

You use a phrasing that interests me, although it may be without meaning. I have been writing this while resting from bursts of digging out. We have had the worst storm in years, with winds, I'm sure, close to hurricane strength. The thought occurred with the shovel, not your letter, in hand. You say that Lattimer "received a letter from Marshall that the Archives didn't consider a final approval." This reminds me of one of my experiences, where Marshall twice told me that it was okay with him if it were okay with the Archivist which, need I tell you, it was not? If something like this happened, it would have the net effect of letter Rhoads, not Marshall, make the final decision. That is what happened with me.

I also have heard from Cyril recently. He then had had no approval. No word is no approval. He asked me if I would consult with him prior to his going in if he were approved. My response was that this would depend on conditions. Unless they change, I do not approve his seeing this stuff now because of the conditions the context. On this I seem to be a minority of one. However, everything that has happened convinces me that my understanding and my position are correct.

Earlier I referred to the Ray case. If you have interest in the point I was making, get the current issue of Esquire and read what I do not believe you can be in a position to evaluate, Bynum Shaw's piece, "Are You Sure You Know Who Killed Martin Luther King?" There are several easily comprehended points at which it become apparent that, assuming Shaw to have been of honest intent, he was used. Whether the dishonesty is his or that of another or others, the consequences can be quite serious and evil. Ray's unsuccessful effort to escape six days ago may be one. That he was not killed in that effort is a fortunate accident.

Best,